REMARKS

Claims 25-62 are added in this reply. Therefore, claims 1-62 are pending. Claims 1, 4 and 7-14 are independent.

§ 103 REJECTION – SATO, SHIOHARA

Claims 1-24 stand rejected under 35 U.S.C § 103(a) as allegedly being unpatentable over Sato (US Patent 6,515,704) in view of Shiohara (US Patent 6,618,553). Applicants respectfully traverse.

Independent claim 1 recites, in part "a controller configured to control said image sensing device, said recording controller, said thumbnail-image data generating device, and said thumbnail-image data transmitting device so as to carryout sensing the image of the subject, recording the main-image data on the recording medium, generating the thumbnail-image data, and transmitting the thumbnail-image data to said image data receiving apparatus in response to set a communication imaging (sensing) mode, establish a communication between said digital still camera and said image data receiving device, and depression of a shutter release button of said digital still camera." This is supported in the specification as originally filed in at least page 14, line 22 – page 15, line 15. The combination of Sato and Shiohara cannot teach or suggest this feature.

According to the invention as claimed, transmitting of the thumbnail-image data is started in response to the depression of the shutter release button. Since the thumbnail-image data is transmitted to the image data receiving apparatus while the image of the subject is sensed, the user in the other room can see the thumbnail-image of the subject and the user can select the image to be printed while the image of the subject is sensed.

Neither Sato nor Shiohara teaches or suggests this feature. On the contrary, in Shiohara, a photographed image 31 read from the recording medium 9 is displayed on the liquid crystal device and the user selects a desired image. Accordingly, in Shiohara, the image data is transmitted to the printer 24 in the reproducing mode, which is contrary to the invention. Since neither Sato nor Shiohara teaches or suggests the above-recited feature, then the combination of Sato and Shiohara also cannot teach or suggest the above-recited feature. This is sufficient to distinguish independent claim 1 from the combination of Sato and Shiohara.

But in addition, independent claim 1 also recites, in part "wherein said digital still camera includes ... a thumbnail-image data transmitting device configured to transmit wirelessly the thumbnail-image data ... to said image data receiving apparatus in association with the identification code that corresponds to the corresponding image of the subject." Contrary to the Examiners allegation, Sato does not teach or suggest the above recited feature.

In the Office Action, the Examiner relies upon column 5, lines 10-45 of Sato to allegedly teach the feature of the thumbnail-image data transmitting device as recited above. Column 5, lines 10-45 of Sato describe Figs. 4 and 5 and are merely examples of the state of the display screen 100 of the digital camera. The display screen includes a main area 101 in the center and a plurality of sub windows 102-113 on the periphery of the display screen 100. Regarding Figs. 4 and 5, Sato merely discloses that the last image to be photographed is displayed in the main display area 101. When a new image is photographed, the new image is displayed in the main area 101 and a thumbnail image of the previous image that occupied the main area is now displayed in one of the sub windows 102-113. However, there is nothing in the relied upon portion that describes a transmitting device of any type. Indeed, the entirety of Sato is silent regarding this regarding this feature.

Fig. 1 of Sato does disclose that the camera includes a communication section 11 for performing communication to transmit and receive image data from a partner terminal. *See also column 3, lines 43-45.* However, Sato is completely silent with regarding whether the communication section 11 transmits thumbnail image data at all.

Also, Sato is completely silent regarding whether the communication section 11 is capable of wireless communication. It is clear that Sato cannot teach or suggest the thumbnail-image data transmitting device configured to

transmit wirelessly the thumbnail-image data. Shiohara is not relied upon correct for this deficiency of Sato.

Further, Sato does not teach or suggest the feature of "a recording controller configured to record the main-image data output from said image sensing device on a recording medium in association with an identification code that identifies the image of the subject."

In the Office Action, the Examiner relies upon column 5, lines 25-45 and Fig. 5 of Sato to allegedly teach this feature. But as noted above, Fig. 5 is merely an example of the information that can be displayed on the display screen 100 of the camera. There is nothing in the relied upon portion regarding a recording controller recording data to a recording medium. Also, Shiohara was not relied upon to correct this deficiency of Sato.

Yet further, independent claim 1 recites, in part "wherein said image data receiving apparatus includes ... an image data receiving device configured to receive wirelessly the thumbnail-image data transmitted from ... said digital still camera and with which the identification code has been associated." The Examiner admits that Sato does not teach or suggest this feature.

However, the Examiner wrongly relies upon Shiohara. Shiohara actually discloses a digital camera 100 that includes an interface 11. Shiohara discloses that the interface 11 receives a program from a computer such as the PC 200, transmits image data to the PC 200, sends image data via a modem

150 to a communication line 160 and transmits print image data to a printer 240. *See Fig. 1; column 4, lines 48-53.* Thus, Shiohara discloses that the interface 11 is used to send image data from the camera 100 to externally connected devices. This is in contrast with the feature that the image data receiving device receives thumbnail image data.

Second, Shiohara states "a serial interface is used as the interface 11." *See column 4, line 48.* Thus, contrary to the Examiners allegation, Shiohara specifically teaches away from the feature of wirelessly communicating with external devices. For at least the reasons stated above, it is clear that claim 1 is distinguishable over the combination of Sato and Shiohara.

Independent claim 4 recites, in part "a controller configured to control said image sensing device, said recording controller, said thumbnail-image data generating device, and said thumbnail-image data transmitting device so as to carryout sensing the image of the subject, recording the main-image data on the recording medium, generating the thumbnail-image data, and transmitting the thumbnail-image data to said image data receiving apparatus in response to set a communication imaging (sensing) mode, establish a communication between said digital still camera and said image data receiving device, and depression of a shutter release button of said digital still camera", "a first recording controller configured to record the main-image data output from said image sensing device on a recording medium in association with a

identification code" and "a thumbnail-image data transmitting device configured to transmit wirelessly the thumbnail-image data ... to an image data receiving apparatus in association with the identification code that corresponds to the corresponding image of the subject." It is demonstrated above that the combination of Sato and Shiohara cannot teach or suggest these features. Accordingly, claim 4 is distinguishable over Sato and Shiohara.

Independent claim 7 recites, in part "an image data receiving device configured to receive wirelessly thumbnail-image data transmitted from a digital still camera in with which an identification code has been associated." It is demonstrated above that Sato and Shiohara cannot teach or suggest this feature. Accordingly, claim 7 is distinguishable over Sato and Shiohara.

Independent claim 8 recites, in part "a controller configured to control said image sensing device, said recording controller, said thumbnail-image data generating device, and said thumbnail-image data transmitting device so as to carryout sensing the image of the subject, recording the main-image data on the recording medium, generating the thumbnail-image data, and transmitting the thumbnail-image data to said image data receiving apparatus in response to set a communication imaging (sensing) mode, establish a communication between said digital still camera and said image data receiving device, and depression of a shutter release button of said digital still camera" and "wherein said image data receiving apparatus includes ... an image data

receiving device configured to receive wirelessly thumbnail-image data transmitted from a digital still camera in with which has been associated an identification code." It is demonstrated above that Sato and Shiohara does not teach or suggest these features. Accordingly, claim 8 is distinguishable over Sato and Shiohara.

Independent claim 9 recites, in part "an image data receiving device configured to receive wirelessly thumbnail-image data transmitted from a digital still camera and with which has been associated an identification code." It is demonstrated above that Sato and Shiohara cannot teach or suggest this feature. Accordingly, claim 9 is distinguishable over Sato and Shiohara.

Independent claim 10 recites, in part "an identification-code data receiving device configured to receive wirelessly data representing an identification code transmitted from an image data receiving apparatus." The Examiner did not demonstrate that Sato and Shiohara teach at least this feature. Accordingly, claim 10 is distinguishable over Sato and Shiohara.

Independent claim 11 recites, in part "controlling the image sensing process, the recording process, the thumbnail-image data generating process, and the thumbnail-image data transmitting process so as to carryout sensing the image of the subject, recording the main-image data on the recording medium, generating the thumbnail-image data, and transmitting the thumbnail-image data to an image data receiving apparatus in response to set

a communication imaging (sensing) mode, establish a communication between a digital still camera and the image data receiving device, and depression of a shutter release button of the digital still camera" and "transmitting wirelessly the thumbnail-image data to an image data receiving apparatus in association with the identification code that corresponds to the corresponding image of the subject." It is demonstrated above that Sato and Shiohara cannot teach or suggest these features. Accordingly, independent claim 11 is distinguishable over the Sato and Shiohara.

Independent claim 12 recites, in part "receiving wirelessly thumbnail-image data transmitted from a digital still camera in with which has been associated an identification code of a corresponding image of a subject." It is amply demonstrated that Sato and Shiohara cannot teach or suggest this feature. Accordingly, claim 12 is distinguishable over the combination of Sato and Shiohara.

The following is also noted. Regarding the rejection of claims 7-12, the Examiner simply alleges that the logic applied in rejecting claims 1-6 applies to claims 7-12. Applicant respectfully notes that claims 7-12 recite features that are different from claims 1-6. As such, the Examiners rejection of claims 7-12 is deficient.

Independent claim 13 recites, in part "receiving wirelessly thumbnail-image data transmitted from a digital still camera and with which has been

associated an identification code." Sato and Shiohara do not teach or suggest this feature as demonstrated above. Accordingly, claim 13 is distinguishable over Sato and Shiohara.

Independent claim 14 recites, in part "receiving wirelessly data-representing an identification code transmitted from and image data receiving apparatus." It is demonstrated that Sato and Shiohara cannot teach or suggest this feature. Sato and Shiohara also cannot teach or suggest the feature of "transmitting wirelessly the red main-image data to said image data to receiving apparatus" also as recited in claim 14. For at least these reasons, claim 14 is distinguishable over Sato and Shiohara.

Claims 2-3, 5-6 and 15-24 depend from independent claims 1, 4 and 7-10 directly or indirectly. Accordingly, these dependent claims are also distinguishable over Sato and Shiohara.

Applicants respectfully request that the rejection of claims 1-24 based on Sata and Shiohara be withdrawn.

NEW CLAIMS

Claims 25-62 are added in this reply. No new matter is presented. These claims are distinguishable over the cited references, alone or in any combination, for at least due to their dependencies from independent claims. Applicants respectfully request that the new claims be allowed.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Date: November 7, 2006

Respectfully submitted,

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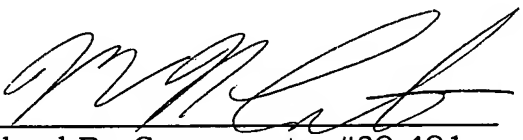
By: 

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